

PLANNING AND ZONING COMMISSION
SPECIAL WORKSHOP MEETING
AUGUST 15, 1996

A special workshop meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, August 15, 1996, at 7:30 P.M., in the Court of Common Pleas Chambers, the Courthouse, Georgetown, Delaware, with the following present: Mr. Allen, Mr. Lynch, Mr. Phillips, Mr. Ralph, Mr. Wheatley, Mr. Lank - Director, and Mr. Abbott - Assistant Director. Thomas Shafer and Dennis Haskins of Whitman-Requardt & Associates were also present.

Mr. Lank advised those present that the purpose of the meeting was a Commissioner's Workshop, that it was not a public hearing, that the workshop was scheduled so that the consultants could summarize the land use maps and some of the proposed concepts of the land use plan, and that no comments will be taken from the floor.

Mr. Shafer described the Quality of Life Act and the Shaping Delaware's Future Goals, advised the Commission that the Act requires ten (10) elements or guides for development of a land use plan, stated that the State is obligated to supply information, stated that the Act requires that the Plan be submitted to the State prior to December 31, 1996 and that the related ordinances shall be adopted one (1) year after adoption of a Plan by the County Council, and that each year the County shall submit updates on activities to show compliance with the Plan.

Mr. Shafer and Mr. Haskins discussed an existing land use and land cover map produced in 1992 by DNREC and DelDOT. The map reported approximately 630,000 acres in Sussex County of which approximately 44% is in agriculture, 22% is in forest, 24% is in wetlands, 2% in other uses, i.e. cemeteries, and 10% is developed in housing, commercial, recreational uses, and industrial.

Mr. Haskins exhibited a map depicting the adopted Coastal Sussex Land Use Plan and Western Sussex Land Use Plan as one map.

Mr. Shafer discussed population data obtained from the Population Consortium which reflected a population of 113,000 in 1990, estimates a permanent population of 167,000 in the year 2030, and stated that using the Population Consortium's numbers plus seasonal growth of 3% may increase development area use by up to 15%.

Mr. Shafer described the proposed Land Use Plan District Guidelines which include growth area for Municipalities, Town Center Districts, Development Districts, Rural Community Districts, Industrial Districts, Commercial Districts, Agricultural Residential Districts, natural resource protection areas including Conservation Districts, Public and Private

Resource Districts, DNREC Proposed Resource Districts, agricultural land protection areas including Ag-Lands Preservation Foundation Districts, and Agricultural Protection Districts. Attached as Exhibit "A" are the above referenced districts summary descriptions.

Mr. Shafer advised the Commission that the County should consider a time limit on developing a project (sunsetting).

Mr. Shafer stated that nothing in the proposed Summary of the Plan references that manufactured homes will not be permitted in any districts or that double wide manufactured homes are to be permitted in any district, and that reference to manufactured housing shall be required to be referenced in proposed ordinances when ordinances are prepared to implement the Plan.

Mr. Shafer referenced Access Management, a method of controlling strip development, and advised the Commission that the State DelDOT is reviewing the concept, that the draft summary on access management references speed limits, spacing of entrances, closeness to intersections, and preferences to which road has access at an intersection.

Mr. Shafer referenced that the State Transportation Plan has established 23 problem areas, including town areas, intersections, major roadways, priority projects, that seasonal priority projects include Dewey Beach to Route One, Route 26, Bridgeville, corridor preservation along U.S. Route 13 and U.S. Route 113, and discussed multi-modal connections, and raising Route 54 above the level of the 100-year flood elevation.

Mr. Shafer referenced Wastewater Studies including the areas along U.S. Route 13 from Kent County line to the Maryland stateline, West Rehoboth, Ellendale, and Dagsboro/Frankford.

Mr. Shafer added that information on housing needs is to be supplied by the State and is still pending.

Mr. Shafer added that the County is not proposing to create a County Parks Department, but discussed the need for open space requirements for tot lots and recreational uses based on a density calculation.

Mr. Shafer discussed the proposed size of a farm, which may require 20 acres minimum which the right to create a one acre parcel per 20 acres, and added that Kent County has established that a farm shall contain a minimum of 10 acres.

Meeting adjourned at 9:25 P.M.

LAND USE PLAN DISTRICT GUIDELINES

GROWTH AREA

MUNICIPALITY

- * Under their own Zoning Ordinance except Ellendale

TOWN CENTER DISTRICT

- * Purpose: To concentrate future growth and public investment in existing development areas where public infrastructure and services can be provided; and to protect sensitive natural areas from development. Growth will be compatible with adjacent Municipalities.
- * Infrastructure: Concentrate development in growth area where Multimodal transportation, and public water and wastewater systems are available or planned for. Arterial roadway corridor preservation and access management are important issues to address.
- * Housing Types: Should reflect Municipal character including single-family detached, townhouses, apartments and condominiums.
- * Density: One DU per acre for single-family, two DU's per acre if designed for future public wastewater system. With public water and wastewater system - four DU's for single-family detached, eight DU's per acre for townhouses, twelve DU's per acre for apartments and condominiums.
- * Non-Residential Uses: Commercial and industrial uses compatible with Municipal character. Commercial uses for daily needs of residents, visitors and travelers are permitted.

DEVELOPMENT DISTRICT

- * Purpose: To concentrate future growth and public investment in existing development areas where public infrastructure and services can be provided; and to protect sensitive natural areas from development.
- * Infrastructure: Concentrate development in growth area where Multimodal transportation, and public water and wastewater systems are available or planned for. Arterial roadway corridor preservation and access management are important issues to address.
- * Housing Types: Single-family detached, townhouses, apartments and condominiums.
- * Density: One DU per acre for single-family detached, two DU's per acre if designed for future public water and wastewater systems. With public water and wastewater systems - four DU's for single-family, eight DU's per acre for townhouses, twelve DU's per acre for apartments and condominiums.
- * All commercial and industrial uses are permitted when appropriately located.

RURAL COMMUNITY DISTRICT

- * Purpose: To protect character of rural communities.
- * Infrastructure: On-site water and wastewater systems will be utilized unless there is a threat to public health which community septic or other central wastewater systems may be required.
- * Housing Types: Should reflect community character, single-family detached is generally most appropriate.
- * Housing Density: One DU per acre. However, lot sizes compatible with community will be permitted if no public health or environmental problems exist.
- * Non-Residential Uses: Local neighborhood type commercial and industrial uses are permitted if they reflect the character of the community.

INDUSTRIAL DISTRICT

- * Purpose: To identify the existing industrially zoned land in Sussex County.
- * Infrastructure: On-site or public water and wastewater systems, and transportation are dependent on adjacent District.
- * Housing Types: No housing permitted.
- * Density: No housing permitted.
- * Non-Residential Uses: Commercial uses permitted by the Sussex County Zoning Ordinance.

COMMERCIAL DISTRICT

- * Purpose: To identify the existing commercially zoned land in Sussex County.
- * Infrastructure: On-site or public water and wastewater systems, and transportation are dependent on adjacent district. Multimodal transportation systems and corridor preservation are important.
- * Housing Types: Housing types permitted by the Sussex County Zoning Ordinance.
- * Density: Density allowed by the Sussex County Zoning Ordinance.
- * Non-Residential Uses: Industrial uses allowed by the Sussex County Zoning Ordinance.

AGRICULTURAL RESIDENTIAL DISTRICT

- * Purpose: To serve as a transition zone between the Development District and the Agricultural Protection District.
- * Infrastructure: On-site water and wastewater systems will be utilized, public systems are not planned. Roadways will be improved for safety and emergency evacuation.
- * Housing Types: Generally limited to single-family detached.
- * Density: One DU per acre.
- * Non-Residential Uses: Agricultural related industries and convenience type commercial businesses are permitted.

NATURAL RESOURCE PROTECTION AREA

CONSERVATION DISTRICT

- * Purpose: To minimize adverse impacts on water quality and improve fish, wildlife and plant habitats. District is defined by a 1,000' distance from tidal water bodies; and by a 1,000' distance from nontidal water bodies or the 100 year floodplain whichever is greater. District includes a 50' vegetated buffer along all tidal and nontidal water bodies, and tidal and nontidal wetlands.
- * Infrastructure: On-site or public water and wastewater systems, and transportation are dependent on adjacent District.
- * Housing Types: Single-family detached.
- * Density: One DU per acre, clustering encouraged where public wastewater systems exist.
- * Non-Residential Uses: Only water dependent commercial or industrial uses within 50' buffer. General commercial and industrial uses are determined by adjacent District.

PUBLIC AND PRIVATE RESOURCE DISTRICT

- * Purpose: To identify the Protected Resource Areas in Sussex County, and to direct development away from these areas.
- * Infrastructure: On-site or public water and wastewater systems, and transportation systems are dependent on the activity of a particular area, and the District it is adjacent to. Infrastructure planning will be coordinated with adjacent Districts, especially those in the Growth Area.
- * Housing Types: Recreational, employee or caretaker housing for the activity of the area which is consistent with the adjacent Districts.
- * Density: Low, medium or high density for the activity of an area which is consistent with adjacent Districts.
- * Non-Residential Uses: Commercial and agricultural uses to support the activity of area which is consistent with adjacent Districts are permitted.

DNREC PROPOSED RESOURCE DISTRICT

- * Purpose: To identify the areas in Sussex County proposed to be protected by the Open Space Program, and to direct development away from these areas.
- * Infrastructure: On-site water and wastewater systems will be utilized, public systems are not planned. Roadways will be improved for safety and emergency evacuation.
- * Housing Types: Single-family detached dwellings.
- * Density: One DU per twenty acres. Clustering is encouraged to a one acre minimum lot size.
- * Non-Residential Uses: Agricultural related and convenience type commercial businesses are permitted.

AGRICULTURAL LAND PROTECTION AREA

AG-LANDS PRESERVATION FOUNDATION DISTRICT

- * Purpose: To identify the protected agricultural land in Sussex County. Included are both Agricultural Preservation Districts which are preserved for ten years, and Preservation Easements (PDR's) which are preserved forever.
- * Infrastructure: On-site water and wastewater systems will be utilized, public systems are not planned. Roadways will be improved for safety and emergency evacuation.
- * Housing Types: Single-family detached dwellings for the owner, relatives and employees.
- * Density: One DU per twenty acres with a maximum of ten acres of land being used for housing on the property.
- * Non-Residential Users: Commercial and industrial uses shall be limited to agricultural and related uses which include all forms of farming.

AGRICULTURAL PROTECTION DISTRICT

- * Purpose: To protect the agricultural industry and prevent scattered development from infringing on its activities.
- * Infrastructure: On-site water and wastewater systems will be utilized, public systems are not planned. Roadways will be improved for safety and emergency evacuation.
- * Housing Types: Single-family detached dwellings.
- * Density: One DU per twenty acres with a minimum one acre lot size. Clustering is encouraged.
- * Non-Residential Uses: Agriculture related industrial uses and convenience type commercial businesses.